

FILED
Clerk
District Court

MAR 15 2008

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

For The Northern Mariana Islands
By _____
(Deputy Clerk)

PATRICK JAMES TIMMERMAN
individually, and as guardian ad litem for
JOSHUA PATRICK AGCAOILI
TIMMERMAN, a minor and MARIA
PURLEY AGCAOILI TIMMERMAN,

Plaintiffs,

vs.

TAGA AIR CHARTER SERVICES, INC.,
HONG KONG ENTERTAINMENT
(OVERSEAS) INVESTMENTS LTD.,
TINIAN DYNASTY HOTEL, INC. and
DOES 1-100, inclusive

Defendants.

Civil Action No. 08-0007

Order Re Case Management
Conference

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In accordance with Federal Rule of Civil Procedure 16 and Local Rule 16.2CJ,
each of the above-named shall be present at the Case Management Conference, set for
Tuesday, March 25, 2008, at 9:00 a.m.

The parties shall be prepared to discuss:

- (a) Service of process on parties not yet served;
- (b) Jurisdiction and venue;

- 1 (c) Track assignment;
- 2 (d) Anticipated motions;
- 3 (e) Anticipated or remaining discovery, including (1) limitation on discovery,
4 (2) and provisions for disclosure or discovery of electronically stored
5 information; and, (3) any agreements the parties reach for asserting claims
6 of privilege or of protection as trial-preparation material after production;
- 7 (f) Further proceedings, including setting dates for discovery cut-off, pretrial
8 and trial;
- 9 (g) Appropriateness of special procedures such as consolidation of actions
10 for discovery or pretrial, reference to a master or to arbitration, or to the
11 Judicial Panel on Multi-district Litigation, or application of the Manual for
12 Complex Litigation;
- 13 (h) Modifications of the standard pretrial procedures specified by this Plan
14 on account of the relative simplicity or complexity of the action or
15 proceeding;
- 16 (i) Settlement prospects;
- 17 (j) Any other matter which may be conducive to the just, efficient, and
18 economical determination of the proceedings, including the definition or
19 limitation of issues; and,
- 20 (k) Setting of dates for:
 - 21 1. Joinder of all parties,
 - 22 2. Motions to amend,
 - 23 3. Discovery cut-off,
 - 24 4. Status Conferences,
 - 25 5. Discovery motion hearing date,
 - 26 6. Dispositive motion cut-off,
 7. Dispositive motion hearing date,
 8. Settlement conference,
 9. Joint pretrial order,
 10. Final pretrial order,
 11. Trial.

The Court recommends that this case be assigned to the Standard track as

1 defined by Local Rule 16.2CJ.c.

2 The parties are reminded that the dates chosen at the conference will not be
3 susceptible to subsequent easy change. Fed.R.Civ.P.16(b)(6) provides in part that a
4 case management scheduling order "shall not be modified except upon a showing of
5 good cause and by leave of the district judge[.]" To establish good cause, a party must
6 generally show that even with the exercise of due diligence it cannot meet the order's
7 time table. See e.g. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir.
8 1992). The liberal amendment policy of Fed.R.Civ.P. 15 no longer obtains once the case
9 management scheduling order has been entered. See Coleman v. Quaker Oats Co., 232
10 F.3d 1271, 1294 (9th Cir. 2000).

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12 IT IS SO ORDERED.

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14 DATED this 5th day of March, 2008.

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17 ALEX R. MUNSON
18 Judge
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